

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Delany et al.

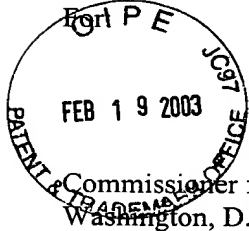
Serial No.: 09/857,123

Unit: 1646

Filed: 07/30/2001

HUMAN VANILLOID RECEPTORS
AND THEIR USES

Examiner: M. Brannock

# 7/13
DmT
3-5-03

RESPONSE TO NOTICE TO COMPLY

Sir:

In the specification:

✓ Page 7, line 27, after "(nt 2518 to nt 3560)", insert -- (SEQ ID NO:1) --.

✓ line 29, after "human VR1 sequence", insert -- (SEQ ID NO:1 and SEQ ID NO:2) --

✓ line 30, after "amino acid sequence", insert -- (SEQ ID NO:2) --.

✓ line 34, after "amino acid sequences of the rat (rVR1)", insert -- (SEQ ID NO:3) --.

✓ line 35, after "human (HVR1) vanilloid receptors", insert -- (SEQ ID NO:2) --.

✓ Page 8, line 29, after "(nt 2890 to nt 3418)", insert -- (SEQ ID NO:4) --.

✓ line 30, after "nucleotide and amino acid sequence of hVR3", insert -- (SEQ ID NO:4 and SEQ ID NO:5) --.

✓ line 31, after "amino acid sequence of hVR3, insert -- (SEQ ID NO:5) --,

✓ Page 9, ✓ line 2, after "rat VR1", insert -- (SEQ ID NO:3) --,

✓ line 2, after "and the human vanilloid receptors: hVR1, hVRL-1 and hVR3", insert (SEQ ID NO:2), (SEQ ID NO:6) and (SEQ ID NO:5), respectively.

Page 14, ✓ line 22, after "764 amino acid protein...", insert -- (SEQ ID NO:6) --

Page 16, ✓ line 13, after "(5' ATTTAGGTGACACTATAG)", insert -- (SEQ ID NO:7) -- .

✓ line 14, after "(5' TAATACGACTCACTATAGGG)" insert - (SEQ ID NO:8) -- .

Page 17, ✓ line 4, after "(5' GGAAACAGCTATGACCATG)" insert - (SEQ ID NO:9) --.

✓ line 4, after "(5' GTAAAACGACGGCCAGT)" insert - (SEQ ID NO:10) --.

✓ line 6, after "(5' AATTAACCCTCACTAAAGGG)" insert - (SEQ ID NO:11) --.

✓ line 31, after "(5' TCTACTTCGGTGAAGTGGCC)" insert - (SEQ ID NO:12) --.

- ✓ line 32, after "(5' ACGGCAGGGAGTCATTCTTC)" insert -- (SEQ ID NO:13). --.
- ✓ line 33, after "(5' CTGCAGAACTCCTGGCAGA)" insert -- (SEQ ID NO:14) --.
- ✓ line 34, after "(5' GTCACCACCGCTGTGGAAAA)" insert -- (SEQ ID NO:15) --.
- Page 18, ✓ line 15, after "and TCCTCTGGCTTCCAACCCGTT) " insert -- (SEQ ID NO:16) --.
- ✓ line 16, after "GAACTGGGCAGAAAGTGCCT)" insert -- (SEQ ID NO:17) --.
- ✓ line 21, after "CTGGAGTTAGGGTCTCCATCC)" insert -- (SEQ ID NO:18) --.
- Page 19, ✓ line 2, after
"GTCATAGCGGCCGCGCCGCCACCATGAAGAAATGGAGCAGCAC)" insert
-- (SEQ ID NO:19) --.
- ✓ line 3, after "(5' AGGCCCACTCGGTGAACTTC)." insert -- (SEQ ID NO:20) --.
- ✓ line 10, after "5' GACGAGCATGTACAATGAGA" insert -- (SEQ ID NO:21) --.
- ✓ line 11, after "GTCACCACCGCTGTGGAAAA." insert -- (SEQ ID NO:22) --.
- ✓ line 17, after "TGTGGACAGCTACAGTGAGA" insert -- (SEQ ID NO:23) --.
- ✓ line 18, after "5'TGCACTGAATTCGAGCACTGGTGTTCCTCAG" insert --
(SEQ ID NO:24) --.
- Page 20, ✓ line 22, after "5' TGTGGACAGCTACAGTGAGA" insert -- (SEQ ID NO:25) --.
- ✓ line 23, after "GTGGAAAACCCGAACAAGA" insert -- (SEQ ID NO:26) --.
- Page 21, ✓ line 19, after "CHIFTTRSRTLFGKGDSEEASC" insert -- (SEQ ID NO:27)--
- ✓ Line 20, after "CGSLKPEDAEVFKDSMVPGEK" insert -- (SEQ ID NO:28)--
- Page 27, ✓ line 30, after "5' ATGGCCACCAGCAGGGTTAC" insert - (SEQ ID NO:29) --.
- ✓ line 31, after "5' TCTGCCAGGTTCCAGCTG)" insert -- (SEQ ID NO:30) --.
- Page 28, ✓ line 16, after "(5'
TCATAGCGGCCGCGCGCCACCATGCCAGGGTAGTTGGAC" insert -- (SEQ
ID NO:31) --.
- ✓ line 17, after "(5' CACCTCTTGTTGTCACTGGA)." insert -- (SEQ ID NO:32) --.
- ✓ line 23, after "5' CAAATCTGCGCATGAAGTTCCAG" insert -- (SEQ ID NO:33)
- .
- ✓ line 24 after "GCCACGAGAAGTTCCACGTAGTG" insert -- (SEQ ID NO:34) --.
- ✓ line 28, after "5' GCTGCTCCCATCTTGCTGA" insert - (SEQ ID NO:35) --.
- ✓ line 29, after "5' TGCACTCTCGAGAAATGAGTGGGCAGAGAAGC" insert -
(SEQ ID NO:36) --.

Page 29, ✓ line 21, after "ATGGCCACCAGCAGGGTTAC" insert -- (SEQ ID NO:37) --.
✓ line 22, after "TCTGCCAGGTTCCAGCTG." insert -- (SEQ ID NO:38) --.
✓ line 30, after "(5' ACAAGAAGGCGGACATGCGG" insert -- (SEQ ID NO:39) --.
✓ line 31, after "ATCTCGTGGCGGTTCTCAAT)" insert -- (SEQ ID NO:40) --.

REMARKS/ ARGUMENTS

Applicants submit this amendment to insert required references to the sequence listing into the specification and submitted herewith is a sequence listing comprising the sequences set forth in the present application that are encompassed by the definitions for amino acid sequences set forth in 37 CFR s.1.821(a) (an unbranched sequence of four or more amino acids). Applicant hereby directs entry of the sequence listing attached hereto into the specification of the present application.

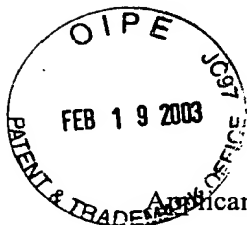
Attached hereto is a clean version of the changes made to the specification and a marked-up version of the replacement pages labeled "Version With Markings to Show Changes Made".

Respectfully submitted:



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Registration No. 31,164

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Delany et al.

Serial No.: 09/857,123

Unit: 1646

Filed: July 30, 2001

For: HUMAN VANILLOID RECEPTORS
AND THEIR USES

Examiner: M. Branno

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FEB 25 2003

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Commissioner for Patents
Washington DC 20231

RESPONSE TO NOTICE TO COMPLY

Sir:

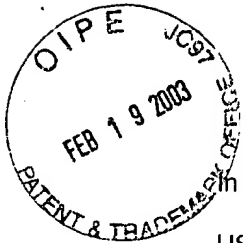
In response to the Notice to Comply with Requirements for Patent Application Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, mailed October 2, 2002, Applicants submit the attached Response supplying the required sequence references within the specification and drawings. A Petition for Extension of Time is enclosed.

An initial computer readable form copy of the Sequence Listing is submitted herewith, together with a duplicate copy of the Sequence Listing as filed with the application, and a statement that the content of the paper and computer readable copies are the same and do not include any new matter.

Respectfully submitted,

Frank P. Grassler
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Date: 2/19/2003
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Delany, et al.

US National Serial No: 09/857,123

Filed: 1 June 2000

Title: HUMAN VANILLOID RECEPTORS AND THEIR USES

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE
WITH 37 C.F.R. § 1.821-1.825**

Commissioner for Patents
Washington, D.C. 20231

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821 (g), does not include new matter;
2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821 (c) and (e), respectively, are the same; and
3. all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted

2/19/2003
Date

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Application No.: **09857123**

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: The specification (e.g. page 17) and Figures make reference to specific polynucleotide and polypeptide sequences; these references must contain a sequence identifier of the form: SEQ ID NO: X.

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

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